

DAC \$ #7

00862.021861

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
: Examiner: Unassigned  
ATSUSHI TANAKA, ET AL. )  
: Group Art Unit: 2878  
Application No.: 09/526,463 )  
:   
Filed: March 16, 2000 )  
:   
For: COORDINATE INPUT DEVICE ) April 30, 2002  
AND ITS CONTROL METHOD, AND:  
COMPUTER READABLE MEMORY)

Commissioner for Patents  
Washington, D.C. 20231  
**Attn.: Office of Petitions**

PETITION TO VACATE PREVIOUS CLAIM FOR PRIORITY UNDER 37 C.F.R. §1.182

Sir:

Pursuant to 37 C.F.R. §1.182, Applicants respectfully request the  
Commissioner to vacate the Claim for Priority filed July 17, 2000, because it is based on an  
incorrect Japanese priority application.

05/06/2002 GTEFFERA 00000042 061205 09526463

01 FC:122 130.00 CH

Adjustment date: 08/30/2002 AKELLEY  
05/06/2002 GTEFFERA 00000042 061205 09526463

01 FC:122 130.00 CR

FACTS

The subject application was filed on March 16, 2000, with an unexecuted

Declaration claiming priority on Japanese Application No. 11-076862 (the Japanese '862  
document). Consequently, an executed Declaration and Claim for Priority were filed on July 17,  
2000, claiming priority on the Japanese '862 document.

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MAY 06 2002  
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The priority document, however, was inadvertently identified as the basis for the foreign priority claim in the subject application. The correct priority document is Japanese Application No. 11-076861 (the Japanese '861 document) and not the Japanese '862 document. A second application filed on March 16, 2000, i.e., U.S. Application No. 09/526,464 (the '464 application), inadvertently based its foreign priority claim on the Japanese '861 document instead of the Japanese '862 document.

#### ACTION REQUESTED

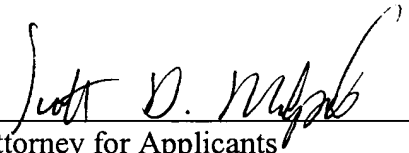
Accordingly, it is respectfully requested that 1) the Claim for Priority filed July 17, 2000, be vacated and a new Claim for Priority, which is enclosed, be placed in the Official File; and 2) that the foreign priority documents in the subject application and the '464 application be switched, i.e., transfer the Japanese '861 document filed in the '464 application to the subject application and transfer the Japanese '862 document filed in the subject application to the '464 application. A substitute Declaration correctly identifying the foreign priority document is also enclosed.

#### AUTHORIZATION TO CHARGE PETITION FEE

The Commissioner is authorized to charge the \$130.00 petition fee set forth in 37 C.F.R. §1.17(h) to Deposit Account No. 06-1205. The Commissioner is also authorized to charge any deficiency in or credit any overpayment of this fee to Deposit Account No. 06-1205. A duplicate copy of this paper is attached.

Applicants' undersigned attorney may be reached in our Washington, D.C.  
office by telephone at (202) 530-1010. All correspondence should continue to be directed to our  
below-listed address.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants

Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: <u>8/26/02</u>		2 Serial/Patent # <u>09/526,463</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time			\$
	Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/>	Petition	7	4/30/02	\$ 130.00
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$
			7 TOTAL AMOUNT OF REFUND	
			\$ 130.00	
10 REASON:		8 TO BE REFUNDED BY:		
		Treasury Check		
<div style="border: 1px solid black; padding: 2px;">Overpayment</div> <div style="border: 1px solid black; padding: 2px;">Duplicate Payment</div> <div style="border: 1px solid black; padding: 2px;"><input checked="" type="checkbox"/> No Fee Due (Explanation):</div>		<div style="border: 1px solid black; padding: 2px;"><input checked="" type="checkbox"/> Credit Deposit A/C #:</div> <div style="border: 1px solid black; padding: 2px; text-align: center;"> 9    0   6   --   1   2   0   5 </div>		
<div style="font-size: 1.2em; font-family: cursive;">not petitionable</div>				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>PATRICIA FAISON-BALL</u>		TITLE: <u>Attorney</u>		
SIGNATURE: <u>Patricia Faison Ball</u>		PHONE: <u>305 4497</u>		
OFFICE: <u>Perthons</u>				
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****				
APPROVED: <u>Alisa Kelly</u>		DATE: <u>8/30/02</u>		

*Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:*